

CHAPTER CXXIII.

An Act to establish an avenue from the present northerly terminus of the city limits of the city of Saint Paul to Lake Como, in Ramsey county, to be known as Como Avenue.

March 2, 1871.

- SECTION 1.** Commissioners appointed to locate, survey and establish said Avenue—width of Avenue.
2. When Commissioners to cause a survey and plat to be made—may employ a competent surveyor, etc.
 3. Damages sustained, how ascertained.
 4. When Avenue deemed to be opened—compensation of Commissioners.
 5. When act to take effect.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. That Lorenzo Hoyt, Robert A. Smith and George Scotten, of the county of Ramsey, be and are hereby appointed commissioners to locate and establish a public avenue or road, to be known as "Como Avenue," commencing at the intersection of the east line of Banning street with the north line of the limits of the city of St. Paul; thence to a point on the St. Paul and Pacific Railroad, in the east half of the southeast quarter of the southwest quarter of section twenty five, township twenty-nine, range twenty-three, at the most feasible and convenient point to bridge said railroad; thence to the forks of the road near to and southeast of Lake Como, in said county; said avenue to be one hundred feet in width.

Commissioners appointed to locate said Avenue—width of Avenue.

SEC. 2. That within one year from the passage of this act, said commissioners, or a majority of them, shall proceed to cause a survey and plat of said avenue to be made, which said plat shall exhibit the lands and premises required to be taken therefor, and lands adjacent, which, in the judgment of said commissioners, will be injured or benefited thereby. The said plat shall be filed in the

To cause a survey and plat to be made—may employ a surveyor, etc.

office of the register of deeds of said county of Ramsey; and for the purpose of such survey and platting, may employ a competent surveyor and such chainmen and axmen as may be necessary.

Damages, how
ascertained.

SEC. 3. It shall be the duty of said commissioners to assess and determine all damages and benefits that may be sustained and received by reason of the laying out of such road, in the same manner as is now provided by law for the laying out of town roads, and to file a schedule of the assessment of damages and benefits with the auditor of said county of Ramsey, and any person aggrieved by such assessment may, within thirty days from such filing, appeal in the manner provided by law in case of town roads.

When deemed to
be opened—com-
pensation.

SEC. 4. That such avenue shall be deemed established and may be opened upon the filing the plat of the survey thereof, as aforesaid, which plat shall be legal evidence of said road; that said commissioners shall receive the sum of three dollars per day and their necessary expenses, and that said commissioners in their report of assessments shall add thereto the expenses of themselves and assistants, and the said county shall pay all damages and expenses assessed for the laying out of said avenue; that all benefits shall be collected in accordance with the laws in force at the date of filing said plat.

When act to take
effect.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved March 2, 1871.